1: Rattray E, G-5 (ca. 1920)1932
FE11 Tallensi FE11
Kusase

XLI

THE KUSASE (*continued*)

Property and Inheritance. Rites de Passage

768 428 IF the heir, who is the deceased's next eldest brother, is a *mey dan pud sob* (a greedy person) he will come, almost immediately, after the final funeral custom, to see about the division of the deceased's property.[1] He will tell the eldest son to produce all his late father's cowries. These the heir shares out among the sons, giving the eldest son most, because he is the one who will sacrifice to his father. The heir also takes some, but less than he gives to the eldest son. The eldest son accounts to the heir for all the cattle, sheep, horses, goats, donkeys, fowls, and guinea-fowls, which had belonged to the deceased, but once having done so, these remain under the care of the son, the heir drawing on them from time to time when he needs any. Though these remain in charge of the son, he has not any right to sell or lend any of them, and if asked to do so, he will say, "No, they belong to my 'father' ". The heir has already become head of his own compound, so he does not inherit the compound of the deceased. The deceased's eldest son will return to it and all his younger brothers who are married will quit, leaving only his unmarried brothers.'

Inheritance of Farms: 'The eldest son of the deceased takes the *saman* farm (near the compound), and his brothers who are "going out" take the *put* (bush farms). The heir has his own *saman* and does not take any farm of the deceased. Standing crops and crops in the grain-store are divided among those who had helped the deceased to work on his farm, but widows of the deceased who do not marry clansmen do not get any of this.'

Clothes, Hoes, Axes, &c.: 'The day the heir comes to see the property, he will see all these things, but will leave everything with the son.'

[778] *Shrines*: 'The eldest son will take his father's spirit, building a *bay* (shrine) for it; the heir will take the shrine of the deceased's father to his own compound and all family ancestral shrines and family ancestral "medicine". All personal "medicine" belonging to the deceased is taken by the son.'

The Leather Bag (*Kolog*): 'This is taken by the eldest brother of the

[1] Among the Nankanse, the time this is done is from two to five months after the final funeral.

1: Rattray E, G-5 (ca. 1920)1932
FE11 Tallensi FE11
Kusase

deceased's senior wife (the eldest son's maternal uncle) because a man's senior wife owns the compound and has all the work of building it up. During a man's lifetime, the eldest son may not look into his father's bag or into his grain-store, or make use of anything personally used by his father.'[1]

Widows and Children: 'Widows go to the heir, but if he does not want them, they will know this, and already have spoken to the men whom they wish to marry. Before their heads have been shaved, they must not on any account have sexual intercourse with any one. Any man who is guilty of doing so, is said "to have cut the widows' strings" (*okoa pɔkɔ nwis*) and any infant whom such an adulterer looks upon will die. These widows' strings are made by an old woman who has ceased to bear children, and, after the funeral custom, she will cut them. After this they will appear in fresh leaves and people will know they are eligible to remarry. They will marry a clansman, not some one from another town. A son may not marry any of his father's widows if the father has ever had sexual intercourse with them. The deceased's brother, if not a *nyere*, may do so. The leaves which widows wear are *tanpiba* leaves (shea butter leaves). If a wife ever puts these on (during his lifetime) her husband will divorce her, and claim back the cows.[2]

'If the widow goes outside the clan of the late husband to marry, the heir will claim from her parents the cows paid, but deducting one cow for each child borne by her. Her father in turn will recover these cows from the man whom she then marries. The children then remain with the late husband's family. Should all the cows not have been paid when the first husband died, the heir, or whichever of the clansmen take her, have to pay the balance due, otherwise no new payments are necessary. It is taboo for the heir to take for himself two widows of the same man. He chooses which he will have and gives the other to his brother, that is, if these persons want them, otherwise they may marry a clansman.' Other customs in connexion with widows and the funeral custom will be dealt with under that heading.

Children: 'The children of the deceased belong to his fellow clansman who marries the widow, but across the Volta, among the Kusase whom we call the people of the West (*Toondem*), children of widows belong to the ghost (i.e. the late husband). If the widow marries outside her late husband's clan, any children she had by her first husband remain the property of his clansman, i.e. of the heir.'

[1] Compare the Nankanse.

[2] Compare Nankanse custom.

1: Rattray E, G-5 (ca. 1920)1932
FE11 Tallensi FE11
Kusase

583 604 *The Number of Cows given for Sul* (bride-price). The number varies from two to five, according to what competition there is for the girl's hand. 'When a man's wife dies, and the cows have not yet been handed over, they must be paid. If this is not done, the parents-in-law may not ask for them, but some day, when the dead woman's son is at his uncle's house to attend some ceremony, they will refuse to allow him to participate.' Again, should his mother's mother ever express the wish to have a 'room', i.e. a shrine in charge of her grandson, this shrine can only be built by his mother's brothers. They will refuse to do this and so compel the payment of the *sul*. This sanction is very typical.

583 ● 768 The cows paid for a woman become the property of the head of her house, not necessarily of her father. I asked if her mother got any, and was greeted with faces expressing almost consternation at the very thought of such a thing. 'She has been receiving five baskets of grain all the time from her son-in-law, why should she get any of the cows, and besides if my wife dies without a son, her relatives will come and claim all her property.' He added, 'Our ancestors too did not make a good law about a man (a clansman) getting our widows for nothing and any children we had by them.' As the heir may take them, this is not really any great hardship.

584 585 591 A marriage may be arranged by the parents when both the children are quite young. When the boy reaches puberty, his father will tell his elder brother, who is head of the compound, that the time has come for his son to marry. The father of the girl with whom the marriage has been arranged will make beer and call the senior 'father' of the youth and they will drink together. The father of the girl will then take his daughter's hand and give her to his friend, saying, 'There is your wife'. The 'father' of the youth then returns to his town, leaving the girl behind. A few days later, the girl is sent to his town accompanied by an old woman. She stays with the bridegroom's father's senior wife. A few days later, the 'father' of the bridegroom will send a member of his section with beer and a guinea-fowl to the bride's town, not to her 'father', but to the head of the section. This beer is to inform the spirits and the living about the marriage. It is called *sindan dam* (compare *sandono* in Nankanse marriage custom). Unless the *sindan* beer is given, the marriage is not considered legal; 'a man must cook this beer'. After the bride has spent three or four days at the bridegroom's compound, the boy's real father will tell his brother that he wishes to give the girl to his son. The senior wife

1: Rattray E, G-5 (ca. 1920)1932
FE11 Tallensi FE11
Kusase

is prepared, and the eldest son will kill a sheep and make food for his father's spirit. "Next day is the *ku-dar*, but the spirit has still to get his bow and quiver. All the food he has been given, he will take to his father and then return for his bow and quiver." The spirit will make use of all these things. I sometimes dream I see my father driving the flocks before him', said my informant.

The date of the *ku-kweem* or dry funeral depends on food supplies. It may be held at once after the *ku-dar*, or a year, or even four years, later. 'The spirit must be patient about this.' A day having been settled for the *ku-kweem*, all those concerned are informed, and the day before the beer is finally ready, all the relatives, sisters and sisters' children, daughters and daughters' children, and mother's relations, assemble at the town of the deceased. New *pokor nwi* (widows' strings) are put round the waists of the widows and their heads are completely shaved. Sons-in-law will bring baskets of grain food and all the children of the deceased will also shave. Towards evening, the widows, who have not been taken by the heir, will choose new husbands, for they will have to leave the compound before the quiver is brought out. After shaving, widows are made to pass through the doorway of the main entrance to the compound. One who has been unchaste during the period of her widowhood will refuse to do so and will struggle. She will then confess the name of the adulterer. This man, when he sees he has been exposed, will run away to his in-laws and from there send a messenger to the Elders of his section begging their forgiveness. He will be told to bring a large fowl and a pot of beer to purify the land. A hole will be dug in the ground, the *Tenedan*' will come and sacrifice the fowl, saying: 'Land, receive this beer, for children have sinned—a matter of a vagina—may the offence be buried'. As he says so he fills in the hole. A male relative of the adulterer and one representing the woman, sit beside the hole. They each put their mouth to the calabash of beer and drink some. A leaf has been put in the beer to represent the leaves worn by women. One man crosses his leg over the other, to symbolize sexual intercourse. The dregs of the beer and the leaf are buried in the hole. The fowl is also killed and its blood allowed to drip in the hole, into which its feathers are also put. The fowl is roasted and eaten, but not by him who brought it. The head of the compound to which the adulteress belongs, sends a fowl to the head of her section with the guilty woman. He sacrifices the fowl on his *yab bagr* (ancestral shrine) saying: 'A woman went out from her compound and they have got to bring her back, must you

1: Rattray E, G-5 (ca. 1920)1932
FE11 Tallensi FE11
Kusase

837 allow her to return.' He cuts the fowl's throat and lets the blood
783 drop on the shrine, and next holds the fluttering chicken against the
765 woman's waist-strings which he cuts through. The woman then runs off to the house of the senior wife of the section-head, followed by a man with a whip; 'if he likes her, he will not flog her too severely'. There she is given new waist-strings.

765 The next morning, after 'the going out of the widows', one arrow
768 out of the quiver of the deceased is given to each surviving brother. The remainder, with the quiver, are then given to the deceased's eldest son, who will divide them between his brothers and himself. If the deceased had two bows, one of these will be given to a male friend of the dead man, with whom he used to hunt. The second bow is taken to the cross-roads and cut in pieces by the heir. The leather of the quiver is stripped off, cut in pieces, and thrown away. 'The funeral custom is now ended' (*kur naya*).

764 *Funeral Custom of a Clanswoman who dies in her Husband's Town*: 'If
602 my daughter falls ill, her husband will report to me or to her mother, and one of my wives will go there and stay with her. If there is not a good doctor in her town, her husband will ask me to send one. If she dies, a message is sent to me at once, when my brothers, their wives, my sons and daughter, and others from my section, will set off at once and go to her town. I do not go myself, that is forbidden, my younger brother, however, will go. They will bring back the calabash which contains the water with which the corpse was bathed. If her husband's people are few, her "brothers" will help in bathing the body, and if my daughter has not any sons-in-law to help in digging the grave, my sons, her brothers, will also assist to do so. When the body has been bathed, it is removed to the *zɔŋ* hut and rubbed with shea butter and the head shaved,[1] and *biug* fibre is passed between the legs. My younger brother will then take three stalks of *mɔɔi* (rice) and brush one across her arms and say: "When you were alive, you had our taboos (*kyisug*); this you have to carry back to our fathers". He brushes the rest of the stalks down the right side, the left side, her breasts, and last of all, the back, repeating these words each time. These stalks are then placed on the calabash which contains the water in which she was bathed. The corpse is then carried out through the door of the *zɔŋ* hut and "shown" the compound four times—they do not trouble to

[302 171] [1] That of male corpse is also shaved. When a man's wife dies, the husband and children shave at the *ku-kwɛɛm* funeral, and when a man dies, the widows and children shave their heads. The same custom prevails among the Nankanse.

1: Rattray E, G-5 (ca. 1920)1932
FE11 Tallensi FE11
Kusase

carry it round. The body is carried by her sons-in-law to the grave, 764
or if she has not any, by her husband's brothers and brothers' sons. 602
When the grave is reached, the body is taken out of the mat; a *baya* (sexton) enters the grave and receives the body which is laid on the left side, facing west. If the husband of my daughter is a rich man, he will kill a goat for my brothers, who, when they have skinned it, may return him a hind leg. This, however, he may refuse to accept, as he may be hoping I will give him another of my daughters. He also gives them fowls and guinea-fowls, one a dead one. On the way back from the funeral custom, they will halt near our town and kill and roast and eat all these but one. This they do, because if they were to bring them home, there would not be so much for them. One guinea-fowl they bring home, also the calabash of water with which the body has been bathed. The guinea-fowl is given to the dead girl's mother and any of my unmarried daughters. The calabash containing the water is buried in the compound farm and this becomes her grave. It is buried by a *baya*. I, her father, will kill a fowl and a guinea-fowl over it. First the heads are knocked against the ground and then I cut their throats saying: "So-and-so (naming the dead woman) take your fowl and guinea-fowl; ask for a way to pass and ask blessings (*malog*) for us". This sacrifice is cooked outside the compound, and every one, even small children, may eat of it. After that no attention is given to the grave; fowls may scratch over it.'

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561

An old woman who has had many children will have the *ku-dar* and *ku-kweem* just as a man, but a young woman will not.

When a man's wife dies, he is not allowed to have intercourse with 834
his other wives until the final obsequies of his wife have been held. 765
'If he did so, any infant upon whom he looked would die.' The man 768
would have something called *gaba* (exactly the same name and same [71]
custom is found among the Nankanse). 'If he were even to look on a calf it would die. I have not had sexual intercourse with any of my wives for over a year', said a widower to me, the final funeral custom of whose wife had not yet been held. When the time for the *ku-kweem* funeral ceremony arrives, the sisters of the dead woman will take one of the three pots used for a hearth, the dead woman's porridge stick, her old broom, a red earthen pot called *kay* (Nankane *kaleya*), her calabash spoon (*bea*), her upper grinding stone (*ni-kan*), and go with all these to the cross-roads. When they arrive there one of the women will raise the shrill *kyeliy* cry of women, and those carrying these things will cast them down. When they return, they

1: Rattray E, G-5 (ca. 1920)1932
FE11 Tallensi FE11
Kusase

834 765 768 will be given beer, and if the deceased woman had any private property, it will be taken away by her relations, but half will be given to her eldest daughter. This refers only to such property as is used by women; any live stock she may have possessed goes to her eldest son. On the day when these things are cast away at the cross-roads, her husband bathes in a decoction of roots (*pɔkɔ-tim*)[1] and shaves his head. 'By doing so he removes the *deat* (uncleanliness.)' He may then resume cohabitation with his wives after the funeral guests have all scattered. A widower is made to undergo an ordeal to see if he has observed this sexual abstinence. He is made to pass through the door of the *zɔŋ* hut. If he has been guilty, he will be beaten by his brother and run away from the town until he comes and begs for forgiveness.

834 It is a worse offence for a widow to commit adultery before her husband's funeral custom is over, than for her to do so during his lifetime, but the latter is also an offence against the land. A husband who commits adultery with a married woman is 'not fit to descend into the valley', i.e. go to war. 'In olden days a young unmarried girl would not have sexual intercourse with any man but the one whom she was going to marry.' To have sexual intercourse with a woman at her own parents' compound is to preclude the possibility of marriage with that woman. 'Even after marriage a man may not do so, he would "spoil" his parents-in-law's compound.'

572 584 The Kusase indulge in a kind of platonic friendship between the sexes known as *saboa*. A wife, with the full knowledge and consent of her husband, has a 'lover' who does little jobs for the husband, but this is only because 'the man wishes to marry her daughter or some girl from his "lover's" section' (compare Nankane, *yi pɔk zabero*); he may not even sit on the same mat as his 'lover').

764 Should a wife die when visiting her own parents, the funeral will be brought back to her husband's village (*ba ne mor kur na*). Her waist-strings, and a little piece of the mat on which the corpse was laid is put in her calabash and carried back to the husband's compound. These will be placed in a room until the day of the funeral, when the piece of mat is thrown away, and the waist-strings buried. If the town where she died is not far away, however, the body itself will be brought home.

781 *Consulting the Soothsayer after a Person's Death*: 'When a man reaches his time and dies, we do not consult, only in case of "a strong death".' Hoes, used in digging graves, have the wooden handles knocked out

[1] These roots are later buried on the kitchen midden (*tampur*).

3: Fortes E-5 (1934-1937) 1949
FE11 Tallensi FE11

are entirely their own property. A woman owns the sleeping-mats she makes. A potteress is in the same position as a blacksmith or leather-worker. She keeps the money or natural products for which she exchanges her pots. Nowadays many women who live near a market carry on a regular or intermittent petty trade in cooked food. Sometimes, borrowing the small capital (two or three shillings is sufficient) with which to start, they keep the profits of their trade. It is not uncommon for women to own livestock, mainly poultry but often sheep and goats, and occasionally a cow. They may be obtained by gift or purchase, in the case of small stock, or by exchanging the natural increase of small stock for more valuable stock. A woman's sheep, goat, or cow will be herded with the family livestock, but her 'ownership' (*soləm*, from *so*, to own) remains secure.

A woman's clothing, and her household utensils, most of which she provides for herself, belong to her solely. They are distributed, on her death, to her daughters, daughters-in-law, and sisters. Any money or livestock she may possess passes to her sons on her death, these being what might be called consumers' capital goods, the appropriate owners of which are men. They remain, therefore, in her *dug*, and do not accrete to the patrimonial property of her husband's effective minimal lineage. But it is an accepted principle that her husband has an over-right to them in her lifetime. For, as the natives put it, 'How can a man own his wife and not own the products of her labour?'

There is a quibble in this statement, the concept 'own' being used first in the sense of 'to have authority over', and secondly to mean 'having full rights of disposal over'—rights *in personam* being equated with rights *in rem*, to speak in lawyer's language.[1] And the Tallensi are not blind to this. Theoretically a man is entitled to utilize his wife's property as he wishes. In practice, he would not dare to do so without her consent, and the transaction is looked upon as a loan (*samər*). True, like all loans within the domestic family, it is not subject to book-keeping. But just as the woman feels morally bound to put her possessions at her husband's disposal if he is in difficulties, so her husband feels in honour bound to repay her in time, and generously, if he has any self-respect. Similarly, if a woman contracts a debt without her husband's knowledge and explicit permission he cannot be held liable. But no 'man of sense' would publicly repudiate his wife's debt. He reserves his reproaches for the privacy of the home. Significantly, a man does not, as a rule, settle his wife's debt. He will try to temporize with the creditor—an art in which the Tallensi are past masters—until his wife succeeds in finding the wherewithal to satisfy him. Or, if the husband cannot avoid paying the debt, he considers this as an advance

[1] Cf. Radcliffe-Brown, A. R., 'Patrilineal and Matrilineal Succession', *Iowa Law Review*, xx. 2, Jan. 1935, for an illuminating discussion of the anthropological relevance of these legal concepts.

3: Fortes - E-5 (1934-1937) 1949
FE11 Tallensi FE11

765 a man dies leaving young wives without infants his funeral ceremonies
581 are hurried on. Tallensi do not believe that young widows without
834 infants will remain chaste for long out of a sense of duty or for fear of mystical penalties. A man's widow, in short, remains his wife, sexually bound to him, as long as his social personality continues to be recognized. Death alone does not expunge a man's social personality. The management of his property, his social roles, and all his rights and responsibilities, continue to be exercised by proxy in his name after his death until his
•[768] funeral ceremonies are finished; for it is by these ritual acts that his social personality is expunged. His property then passes to his heir, his social roles to his successor, and his widow is free to remarry.

The Husband's Relationship with his Affines

593 The sexual bond of husband and wife is also, as we have noticed, the
562 critical element that discriminates a woman's marital relationship with her husband from her filial relationship with her father or with anyone who takes over his social role. As we have mentioned before, the economic duties and rights of a woman in her conjugal family are not very different from those that she exercises in her natal family before marriage or if she comes to live with the latter at any time. Her jural status as a minor under her husband's or father-in-law's authority corresponds to her jural status in her father's family. It is essentially with respect to her reproductive capacity that her role and status as wife and mother are sharply separated from her role and status as daughter and sister.

This will be clearer if we look first at the general rules and conventions of a son-in-law's relations with his father-in-law's family and lineage.

602 The term *deema* (pl. *deenam*), affine, correctly used applies to wife's
562 parent and daughter's husband, and to anyone identified with them in a particular situation. It is the self-reciprocal term of address between these relatives, as well as the term of reference for them. I have heard it used as a special gesture of consideration and courtesy by a man to his brother's wife, but this is not usual. For the relationship between affines, in the Tale sense of this term, is not quite the same as that of a woman with her husband's parents and siblings. A man's affines have no authority over him. The tensions connected with common residence are absent. There are no common economic, jural, or ritual interests between affines.

602 As in all Tale social relations, differences of personality and the flexi-
606 bility of custom result in variations in the actual behaviour of affines to one another that sometimes obscure the real nature of the relationship. I have seen a man chaff his mother-in-law (*deempɔk*) in a way that would be regarded as excessively familiar by the majority of natives. In a well-established marriage one often finds great friendliness and mutual good-

3: Fortes E-5 (1934-1937) 1949
FE11 Tallensi FE11

602 613 segment. Clansmen beyond these limits are no longer concerned with the rearing of a child. They are not directly involved in either the economic or the educational or the ritual responsibility for its passage through life. Hence they all fall into the broad category of clan kin (*yidɛm*) or clan brethren (*mabiis*) irrespective of age or generation, though individuals among them might be addressed by specific kinship terms, in certain situations, as an honorific gesture. Tallensi feel that [736 ●768] a mother's brother (*ahəb*) is a nearer kinsman than a contemporary of one's father of another inner lineage of the same clan; and while it is not uncommon for an orphan to go and live with his *ahəb*, it is very rare for an orphan to join the household of a clansman of a different inner lineage.

602 613 593 Tale jural and ritual institutions show, and intelligent informants perceive quite clearly, that the emotional elements in the relationship of parent and child are distinct from the jural and moral elements. There are both pragmatic and ritual sanctions for the latter but not for the former. Indeed the emotional elements sometimes serve as a sanction or as a rationalization of conduct in the relations of parents and children. With natural parents the emotional elements and the jural and moral elements of the relationship are completely interfused. With proxy parents the former yield precedence to the latter, and it is often easier to study the jural and moral elements of the relationship with proxy parents than with own parents. The widest range within which the relationship of successive generations is recognized is principally distinguished by ritual and ceremonial customs. We thus get a series [601] beginning with people who will describe each other, if questioned, as 'my own father (mother) (*m-mɛŋ ba* (*ma*))' and 'my own child (*m-mɛŋ bii*)', or by some equivalent phrase; stretching to those who refer to each other as *ba-pit* or *ma-pit*, younger father or mother (or if it is a father's older brother or mother's older co-wife, *ba-bier* and *ma-bier*), and *bier*[1] *bii*—child of older sibling of the same sex (or *pit bii*—child of younger sibling of the same sex); and ending with people who say of their classificatory parent or child 'I only call him father (mother, child) (*mbuon u la mba* (*ma, bii*))'. There is always a physical difference of generation between own parents and children, generally such a difference between close proxy parents and their siblings' or co-wives' children, but quite often little or no difference of age between classificatory parent and child at the limit of the range. It is quite a common thing to meet

[1] *Bier* is the common term for senior by age or generation; but it is a curious point that the usage quoted above is not exclusive. Tallensi also describe a father's older brother as *ba-kpeem* (elder father), and a mother's older co-wife as *ma-kpeem*. But this form is more commonly used to refer to a grandparent. The context makes it clear whether the reference is to a proxy parent or a grandparent. The use of *kpeem* instead of *bier* may be a borrowing from the Gonja and Namnam, whose dialects are closer to Mole than to Dagbane and who have the dialect variants *kema* and *yɛbəga* for senior and junior.